

REDACTED COPY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION

FILED

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WESTERN DISTRICT OF TEXAS  
U.S. CLERK'S OFFICE

BY: [Signature] DEPUTY

UNITED STATES OF AMERICA

Cause No.

v.

BRANDON E. WHITLEY

[SEALED] INDICTMENT

[VIO: COUNT ONE: 21 U.S.C. §  
841(a)(1) & (B)(1)(B) and 846,  
Conspiracy to Possess With Intent to  
Distribute Cocaine; COUNT TWO: 21  
U.S.C. § 841(a)(1) & (B)(1)(C),  
Possession of Cocaine With Intent to  
Distribute; COUNT THREE: 18 U.S.C. §  
924(c)(1)(A), Possession of a Firearm in  
Furtherance of a Drug Trafficking Crime]

THE GRAND JURY CHARGES:

DR1 1CR2196

COUNT ONE

[21 U.S.C. § 841(a)(1) & (b)(1)(B) and 846]

From on or about September 4, 2011, to on or about November 30, 2011, in the Western  
District of Texas, Defendants,

BRANDON E. WHITLEY,

knowingly, intentionally and unlawfully combined, conspired, confederated and agreed together and  
with others known and unknown to possess with intent to distribute a controlled substance, which  
offense involved five-hundred (500) grams or more of a mixture or substance containing a detectable  
amount of Cocaine, a Schedule II Controlled Substance, contrary to Title 21, United States Code,  
Section 841(a)(1) & (b)(1)(B) and 846.

COUNT TWO

[21 U.S.C. § 841(a)(1) & (b)(1)(C)]

On or about September 9, 2011, in the Western District of Texas, Defendant,

BRANDON E. WHITLEY,

did knowingly, intentionally and unlawfully possess with intent to distribute less than twenty-eight (28) grams of a mixture or substance containing a detectable amount of Cocaine Base, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Section 841(a)(1) & (b)(1)(C).

COUNT THREE

[18 U.S.C. § 924(c)(1)(A)]

On or about September 9, 2011, in the Western District of Texas, Defendant,

BRANDON E. WHITLEY,

did knowingly possess a firearm, that is, a Glock model 31 .357 SIG caliber handgun, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute less than twenty-eight (28) grams of a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, contrary to Title 18, United States Code, Section 924(c)(1)(A).

A TRUE BILL.

ROBERT PITMAN  
United States Attorney

By: 

H. JAY HULINGS

Assistant United States Attorney

**DR11CR2196**

SEALED:  
UNSEALED: XX

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION**

COUNTY: Maverick USAO #:  
DATE: November 30, 2011 MAG. CT. #: MATTER  
AUSA: H. JAY HULINGS  
DEFENDANT: BRANDON E. WHITLEY  
CITIZENSHIP: United States  
INTERPRETER NEEDED: No Language: English  
DEFENSE ATTORNEY: N/A  
ADDRESS OF ATTORNEY: N/A  
DEFENDANT IS:    DATE OF ARREST:  
BENCH WARRANT NEEDED:  
PROBATION OFFICER: N/A  
NAME AND ADDRESS OF SURETY: N/A  
YOUTH CORRECTIONS ACT APPLICABLE: NO  
PROSECUTION BY: SEALED INDICTMENT  
OFFENSE: (Code & Description): Count 1 - 21 U.S.C. § 841(a)(1) & (b)(1)(B) and 846, Conspiracy to Possess with Intent to Distribute Cocaine; Count 2 - 21 U.S.C. § 841(a)(1) & (b)(1)(B), Possession with Intent to Distribute Cocaine; Count 3 - 18 U.S.C. § 924(c)(1)(A), Possession of a Firearm in Furtherance of a Drug Trafficking Offense.  
OFFENSE IS A: FELONY  
MAXIMUM SENTENCE: Count 1: 5 - 40 yrs to life imprisonment, up to \$5 million fine, up to 4 years of supervised release, \$100 special assessment; Count 2 - Not more than 20 years imprisonment, up to \$1,000,000 fine, up to 3 years of supervised release, \$100 special assessment; Count 3 - Not less than 5 years imprisonment, up to \$250,000 fine, up to 3 years of supervised release, \$100 special assessment.  
PENALTY IS MANDATORY: YES & NO  
REMARKS: See above W/DT-CR-3